statute forbids the quashing of an indictment or information for any surplusage or repugnant allegation when there is sufficient matter alleged to indicate the crime and the person charged. 3. Only the regular judge of the court can appoint a special

judge, and such appointment is within the

cult in his opinion to procure the attendance of such a special judge to try the

case. 4. Whether or not a change of venue

should be granted in cases less than felonies which are punishable by death is with-

in the discretion of the court, and his action will not be reviewed in this court unless his discretion was clearly abused.

5. If Section 1476, R. S., 1894, is invalid,

being contrary to the provision of the Con-stitution, which provides that there shall

practice in courts of justice, the appoint-

ment of short-hand reporters in counties

of less than seventy thousand inhabitants

will be upheld under the act of March 7,

Where a mortgage purports on its face to

secure a sum in excess of the debt really

due it will not render the mortgage void

17302. Stone Company vs. Seward. Monroe

Appellate Court.

1919. Steele vs. Hinshaw. Randolph C. C.

defense, but if he does so plead it will

Reversed. Gavin, C. J .- 1. In determining

the competency of a witness in a suit filed

upon a claim against a decedent's estate

(Sec. 506, R. S., 1894), the court should not

Washington C. C. Mandate modified

discussed in the original opinion, 2. Where

1997. Bedford Belt Railway Company vs.

Winstanley, Monroe C. C. Certlorari

Superior Court.

Room 1-John L. McMaster, Judge.

ontract. On trial by court.

Judgment for plaintiff for \$459.93.

ages. On trial by jury.

for \$99.90 and costs.

tachment. Dismissed and costs paid.

E. Chubb Fuller vs. James A. Everett; on

Silas Baldwin vs. William J. Eisele; at-

Morris Resenwald vs. Walter L. French

William A. Bell vs. Otis S. Roberts et al.

Fulmer-Seibert Company vs. Levi Fauer-

eaum; street lien. Dismissed and costs

Hey Beckner vst Frank E. Helwig; dam-

Floyd A. Woods admitted to practice at

John Smith et al. vs. Fred Zwacke: street

Charles Jones vs. Martha A. Jones;

L. E. Abrams vs. Henry S. Moats. Dis-

Polina J. Ritter vs. Sanford E. Thomas

t al.; note. Judgment against defendant

Benjamin L. Webb vs. Ira Izor; note.

missed by plaintiff. Costs against plaintiff.

sprinkling assessment. Dismissed by plain-

tiff. Judgment against plaintiff for costs.

improvement lien. Dismissed by plaintiff.

udgment against plaintiff for costs

et al.; replevin. Dismissed and costs paid.

Room 2-Upton J. Hammond, Judge pro tem.

the mandate a new trial will be ordered.

Stephenson vs. Town of Salem.

not give him the right to "open and close"

if the burden rests upon the defense.

per se, but a badge of fraud.

Petition for rehearing overruled.

be no local or special laws regulating the

The New York Store (ESTABLISHED 1853.)

The odds and ends from the bank rupt stocks which we have handled the last lew weeks, must

At once, no matter what the price. In fact, they must go

To-Day Doesn't that mean anything to

Pettis Dry Goods Co



Butter XXXX Cracker ine. Nothing finer in fancy biscuits. At your grocers. HOME CRACKER CO

AMUSEMENTS. "Camille."

night was the most womanly and artistic- Stetson, of the Park Theater, from paying ally refined representation of the role one can remember. It excelled in human sym- any of the receipts from the presentation pathy. While watching the play one could | Brown," which opened an engagement here not help feeling that Camille may have last Monday until Rogers and Hill, who been just such a noble woman, one in whom accounting to Mrs. Sophia D. Dessau, of the heart and intellect shone resplendent New York, who claims to have advanced to Rogers \$10,000 with which to start the above the degrading influence of her life. When Camille's life is changed and she goes to the quiet retreat with Armand, Mrs. Potter makes one feel that Camille for the have chosen-a life free from sin and noble in its ambition. Mrs. Potter has deviated from the sensual lines adopted by so the sensuality of the woman does not appeal to her as strongly as the finer in stincts. She dresses the brilliant courtesan lavish art, Mrs. Potter formpicture in the role to inan artist. But all the rich gowns, the gaudy jewels, the practiced smiles, the effort to please seem to be a mockery to one who at heart scorns this vain show. In her manner of expression Mrs. Potter has studiously avoided any sensationalism. There is none of the tigerish passion so often portrayed by modern Camilles. Her caresses are those of a delicate and refined woman of great heart, one who would scorn to make Armand the recipient of coarse demonstration, Mrs. Potter has been working along the line of what is some kind, although there may be differspoken of as the new art in tragedy. It is a style meant to appeal to the cultured and intellectual audience. The crowd that rushes

subtle and convincing Armand, as played by Mr. Bellew, is made simply fascinating to an audience. The natural grace of face and expression of this finished actor has always made him one of the most popular on the stage. The intelligence and force that he brings to a role never fail to make it highly interesting, so much so that he may justly divide the honors with any star. Armand is no toy of the dramatist, no simple foil for Camille, when Bellew is in the character. With all of Mrs. Potter's artistic ability she often appears weak in the scenes where Bellew throws himself into a part and

At this time the following article by writer for the Pall Mall Gazerte, telling the story of the first production of "Camille," may be of interest to stage goers: "From notes in my possession I came the conclusion long ago that young Dumas not see half so much of Alphonsine Plessis during her better-known existence as is commonly supposed, and that the first idea of his novel, which preceded his play by four years, was most likely suggested to him by the sensation her death caused among the Paris public, the female section ch, almost without distinction, went to look at her apartment, to appraise her ewels and dresses, etc. The success of the tory may have begotten in the young author's mind, if not in his heart, a feeling of gratitude to the dead girl, which, by a street, from Central avenue to Capitol very natural transition in one so young, de- avenuc. veloped into a genuine or fancied affection her memory. At any rate, on the New Year's day after the publication of the book Dumas made a pilgrimage to Alphonsine's way thither a second time on the 1st of like \$13,000 better off than it would be had January, 1850. Dumas himself acknowledged | the suit been decided against the city. Had that he was impelled to that visit by a the company won, that amount would have kind of superstition. The sober fact was he wanted a pretext to bemoan his had to be paid to it. Controller Johnson is and costs. The costs will vary according hard fate, and a cemetery seemed to him | delighted, but sarcastically expresses the | to the distance from this city to the home the most suitable spot to give vent to his fear that it will be impossible to spend the tears. We must remember that he was on- money. Mr. Johnson suggests that the city ly twenty-six, and a Frenchman of that age | now purchase the Gamewell police telegraph at that period, even an Alexander Dumas fils in the making, was a different creature

from the youthful cynic of the nineties. on his return home Dumas drew his curtains, lighted his lamp, and took out his and maintain a police telegraph system. manuscript. He made a few corrections in case of need, he said to himself, and everything connected with New Year's day in the fifth act was written then.' He had just finished when there was a knock Durlacher of the period; that is, a good-n; ured, serviceable creature, hand in glove with every theatrical manager, actor and actress of note. Mirault had only heard fragments of the piece; Dumas read the whole of it to him, and he also predicted eventual success-provided a manager could be found to present the play to the public.
"More than fifteen months went by before the desired manager was found, and even be confounded with the eminent actor of of the improvement. the same name-Bouffe, though frequently impecunious, was honest and sympathetic to a degree, and having pledged his word to produce 'La Dame aux Camellias,' adhered to it, in spite of the difficulties of all kinds, and the vexatious interference of the censorship foreseen by Virginie Dejazet. Rehearsals had scarcely begun when

Anais Farageuil threw up her part. felt cramped and uncomfortable in it. Eugenle Doche, whom every one considered as the next best representative, was in termination never to face the footlights again. Bouffe dispatched Fechter to her barely fallen from the famous actor's lips when she gave orders to pack her trunks. She never wavered for an instant in her first appreciation, but she was only one of three-in a cast of seventeen-who had im-'The other two were Delannoy and Luguet,

espectively the original Buval pere and Gaston Rieux. Fourteen of the major and minor interpreters-Fechter at their headence in the plece as the rehearproceeded. They became afraid of the boldness of the subject. The author's although lower, retained the protective commendations and suggestions were oh-poohed; he was not supposed to know anything of his business, although a moment's reflection ought to have shown to one and all that such a son of such a father, who, moreover, had nearly always accompanied his sire to rehearsals, must One instance of this systematic opposition

will suffice. In the last scene but one of Act IV, Armand says to Marguerite, "Tell me that you love M. de Varville and I will go, never to return again.' 'Well, if ust tell you, I love M. de Varville,' redies Marguerite. Dumas felt convinced that his stage directions, as they stood in the manuscript, as they had been printed in all the editions, should be carried out to the letter. Fechter, on the other hand, obstinately refused to clutch a woman's wrists, to force her to go on her knees, to lift his hand against her, in order to strike per, perhaps to kill her with one blow. 'He had never done such a thing,' he said, The public would not stand such on exhibition of violence. "And even at the dress remarked he per-

'Very well,' said Fechter, at last; 'I will do what you wish, if the plece goes as far as the fourth act. I am certain it will not reach the second; at any rate not Tile Floors, special designs. Jno. M. Lilly, to withstand a motion to quash. 2. The by the "Passion Play."

the third.' But before the curtain fell upon the first act, the success of the play was practically assured. Dumas did not repeat his instructions, and at the scene in question, Fechter suddenly remembered the author's wish. The movement had never been rehearsed. Mme. Doche was not prepared for it; Fechter had to take her by the wrists and use real force. The great actress was absolutely dumfounded; she had no idea of what it all meant.

"The effect was simply immense, and Fechter, carried away by the situation, slammed the door so violently behind him that one of the candelabra on the table dropped to the floor with a crash. The incident was regarded by the public as a carefully prepared bit of stage business, and helped to increase the already frantic excitement. "There was a violent quarrel between the two great artists. Mme. Do he justly taxed Fechter with having improvised a movement of such importance without having apprised her of his intentions, and thereby having jeopardized her own play. Fech-ter put the whole of the blame on the au-

and for many weeks Eugente Doche and Charles Fechter never exchanged a syllable "A Naval Cadet."

Purely as an actor James J. Corbett is better than one would suspect. In "A Naval Cadet," given at the Grand last night, he displays comedy talent that is above the average. The class who go to see Corbett, saw a play that is better than the usual sort bellowed at the galleries. Under the careful training of McKee Rankin the pugilist star has improved so much that it would be unfair to deny him a certain amount of praise for his en-deavors in the line of dramatic expression. The play does not suggest the prize ring, not even in the gymnasium scene. Corbett has evidently determined to identify himlooks like this. Insist | self with the stage. No one has yet acon having the genu- cused him of desiring to elevate the stage, but the stage may elevate Corbett and if it should there will be a new text for the ministers who refuse to see any good in the theater. The audience was not so large as some which Corbett has had here, but this may be due to the fact that this is a bad season. "A Naval Cadet" will be repeated this afternoon and to-night.

"Miss Brown's" Stage Adventures. BOSTON, Feb. 14 .- A temporary injunction was granted to-day by Judge Bradley, Mrs. Potter's Camille at English's last of the Superior Court, restraining John over to John R. Rogers and James M. Hill play in New York.

Notes of the Stage. The trained dogs and ponies will close their engagement at the Empire with two performances to-day. The indications are that Mrs. Potter and

Mr. Bellew will have a large matinee today at English's. Bellew's Marat and Mrs. of the players of Camille, because Potter's Corday are both well worth seeing. "Little Miss Nugget," the attraction at the Park all next week, is well known to heater-goers of Indianapolis. The American Vaudeville Company closes its engagement at the Park to-day.

THE BOARD AND ASPHALT. Peculiar Policy of Mr. Taggart's

Three Wise Men. The residents of North East street are interesting themselves in the improvement of the roadway of that street. The Board of Works has adopted resolutions for the improvement, specifying that asphalt shall be used, but there is some little objection to that material. It is thought that a majority of the residents favor an improvement of ences concerning the best material. Next Tuesday evening there will be a meeting of to see Nethersole burn the hair off Ar- the property owners. There is a proposition mand's head with a conflagration of kisses to improve East street, as has been done will take little pleasure in Mrs. Potter's with New Jersey street, that is, with the Camille, Not that Mrs. Potter lacks sidewalks next to the curb. The claim is warmth, but she has found a way more made that New Jersey street has been made more attractive by change from the old give the yards a good appearance. Connected with this same proposition is the suggestion to make the width of East street above Ohio, but thirty-two feet. The members of the Board of Works do not talk disapprovingly of these changes in the spec-

fications should the property owners appear united for the change. Yesterday the board adopted resolutions for asphalting Vermont street, from East to West and Senate avenue, from Washington to South street. Both roadways are

to be forty feet in width. There has been some talk concerning the action of the board in letting nothing but asphalt improvements. In the recent message the board spoke rather slightingly of asphalt, saying it was believed that there is some better material. Afterward it was said that streets on which there will be heavy traffic are to be improved with brick, while the residence streets will be paved with asphalt. Mr. Austin, in his summing up of the board's plans, said the South-side streets would be paved with brick, while North-side streets would be improved with asphalt. The improvement of three side South-side streets has been ordered, but all are to be paved with asphalt. Papers have been ordered for asphalting Fourteenth

The City \$13,000 Better Off.

By the decision of the Supreme Court in the vapor light case the city is something vent to his | fear that it will be impossible to spend the system, which is offered on easy payments. The Board of Safety wants the system, and were it not for the telephone tangle one "It happened to be a dull, rainy day, and | would be bought. Mr. Taggart still believes | that the telephone company may establish

A "Greek Bearing Gifts."

The Board of Works has rescinded the ac tion of Wednesday, allowing the L., N. A. at his door. The visitor was his friend, & C. Railroad Company the right to construct a macadam roadway at its own expense on Pearl street from New Jersey to East street. The company offered to make the improvement to the satisfaction of the city and not charge one cent for the same The board became frightened for fear such a grant would be equivalent to a dedication of the street to the company. The board has ordered papers prepared for a brick roadway on the street, which will be paid then he was of questionable solvency. But for by the property owners, although the Bouffe, the director of the Varietes, not to company will be the principal beneficiary

Jackson and Nullifleation.

"Andrew Jackson and Nullification" was the subject of the fifth lecture in the university extension course, delivered by Prof. Francis W. Shepardson last evening in the parish house of St. Paul's Church. The doctrine of nullification was considered as a direct outgrowth of the notions cherished London, and had openly announced her de- during the colonial period. The beginning of the growth of the doctrine was found with the manuscript. The last words had in the attitude of New England toward the purchase of Louisiana and the second war with Great Britain. The life of Andrew Jackson as a participant in the Indian wars and the second war with Great Britain was reviewed briefly by Dr. Shepardson as a groundwork for the occurrences

of his administration. The nullification in South Carolina was then considered. This action, it was said grew out of the unpopularity of the tariff of 1828. The threats of Calhoun and his followers led to the tariff of 1832, which, South Carolina prepared for resistance, but was met by prompt counter action on the part of President Jackson. Clay's compromise tariff of 1833 was a remedy which but quieted the storm which was yet to break. Processor Shepardson considered the strong personality of Jackson as his life, for it marked his movements and because of it he is remembered.

Time on Taxes Extended.

The State Tax Board yesterday extended the time for the payment by the Indiana & Illinois Southern railway of its taxes in Green and Sullivan counties to Feb. 20. The attorney for the road exhibited a certified on his wife, Neille. The latter was arrest-check, which he said would be sent to pay ed on the charge of disturbing the peace, the taxes to-day.

New Custodian of Monument.

D. I. Wright, of Salem, was yesterday apwas principal doorkeeper of the last House sisted in his refusal. Dumas was equally of Representatives, and was a candidate for the office of custodian of the State Cap-

TWO YEARS' SENTENCE

ANNIE ADAMS'S PUNISHMENT FOR STEALING A SEALSKIN CAPE.

Husband's Effort to Shield Her-Says He Knows Who Robbed the Express Company.

The Criminal Court jury which had for two days been trying the case of Annie Adams, charged with stealing a sealskin cape from the L. S. Ayres dry goods store, brought in a verdict last night of two years in the woman's prison. The accused wept 1873, Reg. Sess. 194, which act has never bitterly when the verdict was read. thor; the quarrel recommenced every night Richard Wilson, the woman's husband, went on the witness stand yesterday morn- 17511. Adams vs. Langel. Vanderburg C. C. Affirmed. Hackney, C. J.-1. Where a note is found to lack a consideration it is

ing and assumed the responsibility of the not fraud but simply a badge of fraud. theft. He told an apparently truthful story, in which he said he stole the wrap himself. in which he said he stole the wrap himself is a question of fact and not of law. and his wife knew nothing about it. He carried it home to her, threw it into her lap, with the remark: "Here is your ('hristmas present." Wilson admitted that he visitel the store with his wife the Saturday evening before the robbery. They looked at the wraps and went away. Monday morning they returned, but did not purchase, and directly after dinner he went back to the store alone. Wilson showed the jury how he got away with the cape. He wore a large waterproof coat, with two button hooks attached to the arm holes. He fastened the wrap to these hooks under his coat and got away without detection. The prisoner was put on the stand and admitted that she had twice before been arrested. She said she accompanied her husband to the Hollis jewelry store the evening of the diamond robbery, but left him there and did not know he had carried off action was the same as that embraced in a tray of diamonds until she was arrested | the action to which the plea addressed; as an accomplice. Wilson was closely cross- the former action. examined, but clung to his original theory. The jury, however, failed to attach credence

am." but he gave a number of other names when he was arrested and was in- regard the mere letter of the statute, but five years' sentence for the Massachusetts- ner, although incompetent to testify against "It was no trick at all to steal that cloak."

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It was no trick at al avenue diamend robbery. could go up there and take away the whole of a partnership debt. store without the knowledge of those clerks

Wilson's right name is "Richard Ketch-

and I don't claim to be a shrewd man. My wife knew nothing about the theft of that | Gavin, C. J .- 1. The court will not grant cloak. I promised her in Chicago that she should have a Christmas present and I didn't want to disappoint her. Wilson, or Ketcham, is very bitter against the Pinkerton detectives. He says they are responsible for his last downfall. "I shouldn't have left Chicago if it hadn't been for W. A. rinkerton. I was getting along all right up there when he came to me with the same old story. He said it was getting too hot for me up there and I would

do well to get away. I knew what he meant and my wife and I started south. was expecting to get money-and it was honest money-and that is why we stopped nere. The money was to have been sent here. Well, it didn't come and that was another turning point in my life. Had I got the money my wife would have had her Christmas present honestly and I wouldn't be here now. I've been hounded to death by the Pinkertons ever since that accursed express robbery in 1892. Thirtyfive thousand dollars disappeared and had passed through my hands. I had already done six years' time in the Missouri State rison and when that money was stolen, the Well-Fargo detectives looked up the history of every messenger on the road. It was the records in the Missouri penitentiacy that did me up. I was arrested and ac quitted and sued the Wells-Fargo Company for \$50,000. I had no money, but the company had, and the suit went by the board. The prisoner says he knows who got the money from the express company, but he is not yet ready to talk. He says he may give up the name of the guilty man in the book he is now engaged in writing. "I have reasons why I can't tell who go that money at this time," he said, "but ! am about ready to say something about it. Fred J. Doge, chief of the Wells-Fargo

Joseph Farrell.

against Roxy Williams, the street-car con-

mended his discharge. The case of W. B.

not to be

tery, with intent to murder.

more than \$30

were found not guilty.

recommended

Victims of the Fee-Grabbing.

Five more victims of the law that pro-

vides for district attorneys and United

day. In each of four cases the fine was

the victim. If the man should be un

fortunate enough to live in the "Pocket"

or in the extreme northern part of the State he will likely find that the little junket

to this city has cost him in the neighbor-

hood of \$75, of which the marshal will get

The victims yesterday were Noah Fager,

Another Broad Ripple Suit.

Endly J. Sherman, William G. Young, trus-

& Broad Rippe Rapid Transit Company to

pany declared second to his own claim.

Maker of the "Lotus Blush."

Ira J. Schropp, of South Bend, another of

While He Was Seeking Work.

Indiana bicycle works by Charles Elkins,

who claims he was injured white visiting

ment, and was directed to a certain locality

in the yard. While passing a pile of lum-

ber it toppled over, and he was caught be-

Court Notes.

Hittle was appointed guardian of Claudia

and John Hittle. Bond, \$480. Emma Mer-

In Police Court yesterday Harry Vogt, a

musician, was fined \$5 and costs and sent

to the workhouse for assault and battery

but sentence in her case was suspended.

THE COURT RECORD.

Supreme Court.

17729. Smith vs. State of Indiana. Hunt-

ington C. C. Affirmed. Howard, J.-1. An

F. Merryman.

In the Probate Court yesterday Isaac

the company's plant in December, 1895. He says he went to the works to seek employ-

Suit was brought in the Superior Court

\$10 and costs and in the other it was \$20

Judgment against defendant for \$309.48 and Room 3-Pliny W. Bartholomew, Judge. Sarah J. Smith vs. Broad Ripple Rapid letectives, knows that I can turn up the Transit Company et al.; damages. Disguilty man when I want to. missed and costs paid. Wilson has asked the sheriff to let him stay here until he completes his book. WILLIAMS TO BE RELEASED. ment against plaintiff for costs.

prosecuted

granted.

Thomas J. East vs. Robert Kellar; from Nickerson, J. P. Dismissed Mary Brennan vs. Matropolitan Life Insurance Company; insurance policy. Judg-Hiram B. Defore vs. John W. Billings-Grand Jury Will Not Indict Slayer of worth et al.; mortgage. On trial by court. Circuit Court. The Marion county grand jury adjourned Edgar A. Brown, Judge. yesterday afternoon, returning in all thirty-seven indictments to the Criminal Court.

Greenbury Daubenspeck vs. Jacob Sutton et al.; suit on note. Judgment against de-The jury investigated the charge of murder fendants for \$208.55. New Suits Filed.

ductor who shot Joseph Farrell, and recom-Charles Elkins vs. Indiana Bicycle Company; damages. Superior Court. Room 1. Henry Seyfried vs. Orion B. Ent et al. Murphy, who killed Patrick Gallivan, was suit on bond. Superior Court, Room 1. not taken up. It is understood that Mur-Fulmer-Seibert Company vs. Joshua Zimmerman: improvement lien. Superior Court. charge of Louis Magul, charged with em-John Scheier vs. Hannah B. Niebol et al. bezzlement, and returned indictments against suit to quiet title. Superior Court, Room 3. Mike Bubro, charged with assault and bat-tery with attempt to kill; John Shulse, lar-J. H. Rhorer et al, vs. Agnes W. Templeton et al.; suit on account. Circuit ceny; John Brown, petit larceny and forgery, and Ross McAnomy, assault and bat-Anna Gray vs. Millard F. Gray; suit for divorce. Superior Court, Room ! Joseph H. Pattison vs. Emily J. Sherman et al.; suit to foreclose mortgage. Circuit Court. Bernard Koehring vs. Isaac H. Norman et al.; mechanic's lien. Superior Court, States marshals to make their pay out of Joseph H. Wurtz vs. Harry C. Webster;

PETITION FOR REPAIRS.

People Who Do Not Want School No. 10 Torn Down.

An extensively signed petition has been circulated asking the School Board to reconsider its action ordering the four south rooms of schoolhouse No. 10 torn down. The petition is as follows:

South Whitley; D. Curtin, city; John Mc-Namara, Gas City; G. D. Jones, city, and Mathias Lipps, Lawrenceburg. P. V. Dob-"We, the undersigned, hereby most rebins, of Monon, and J. B. Moore, of Gaston, spectfully ask a reconsideration of the order to tear down the four south rooms of school No. 10, and recommend that a wooden wall of studding be put on the inside of the brick wall and the two walls be firmly united by yesterday by Joseph H. Pattison against proper bolts or rods to form what is known as a 'hog chain,' to prevent the joist from shaking; also, to lay new floors and plaster tee, Robert R. Bennett and the Indianapolis the rooms anew, all of which will not cost to exceed \$800 for the four rooms. These repairs can be completed in fifteen days; foreclose a mortgage executed by Mrs. Shor-The signers to this petition are John S. man to the defendant Bennett, Aug. 5, 1895. Spann, N. N. Morris, G. W. Brown, J. W. Brown, C. A. G. Weiss, J. S. Miller, Geo. L. The mortgage was to secure a promissory note for \$700, payable in six months. At the time of the execution of the mortgage Mrs. H. Rice, James King, Will J. Probst, Perry Sherman was proprietress of the amusement Hoover, J. P. Lowry, L. Wood, S. Morris, William Dorey, N. J. McDaniel, J. M. Marsh, R. E. Williams, William Newman, feature at Fairview Park. The mortgage given by her included a "switch-back," merry-go-round and several Shetland ponies. R. McCashy, John W. Carter, J. D. Busk, Before the note became due it was assigned Charles A. Goth, David I. Scott, Eliza to the plaintiff, who asks for a judgment Church, J. A. Church, Charles Hagedon, M. for \$1,000 and wants the Hen of the Indian-B. Burr, John B. Hann, P. A. Richardson, apolis & Broad Ripple Rapid Transit Com-Horace McKay, E. L. Gamer, J. A. Shirley, James R. Anthony, A. J. Gardner, E. Vic-tor, Thomas VanCleave, S. S. Dickson, S. R. Nickerson, W. B. Hauk, W. M. Cochran, W. B. Stewart, James Johnson, H. G. Johnson, E. G. Grahn, B. F. Hubbert, John Stewart, William Scott, A. R. Hoffman, D. A. Leaththe lotion manufacturers of that place, who was indicted for using the mails to deers, August Bushmann, W. C. Mendenhall fraud, was convicted in the federal court L. P. Smith, H. Ruckelshaus, Milton Spencer, Charles Boynton, J. E. Merritt, J. M. Suilivan, Henry Nicolal, Minos Miller, P. M. yesterday, but sentence was suspended during good behavior. He advertised under the Pursell, W. H. Mansfield, O. J. Mansfield, C. name of Mary Stanton and sold the W. Bridges, J. T. Huntington, Thomas V. Page, A. B. Carter, A. Clifford, C. Schrader, R. B. Jerusalem, T. Beal, Michael Mode, George Mode, C. Mode, John Dietz, L. Leppert, S. N. Gold, C. Timmerman, Ira C. Webb, Henry Holt, Charles M. Suesz, John "Famous Lotus Blush" to women at \$25 a gross, after promising to turn over to them a large number of orders he had already received from the neighborhood of L. Goth, J. W. Scrimsher and F. F. Dannet-Sult was brought yesterday against the

Professor Waldo on "Passion Play." the board of managers of the Boys' Club and the Girls' Industrial School were enabled to give an entertainment last evening at the state of the Boys' Club and roses being distributed. Mrs. Adams was assisted by Mrs. George Macy, Mrs. Edward P. Thompson, Mrs. William S. Through the kindness of Professor Waldo neath heavy timber. His leg was broken and he was otherwise injured. Tomlinson Hall. Professor Waldo gave his lecture on the "Passion Play" at Oberammergan and illustrated it with stereopticon views. This "Passion Play" is the story of the life of the Savior, and it is presented in dramatic form by the peasants in the Bavarian ryman was appointed guardian of Edward highlands. The characters are all assumed by the peasants, who enter into it with deep religious feeling and interest. They are capable men and women chosen particularly for the parts, and thousands of people flock from every quarter of the world to witness the play. The scenes given by Professor Waldo show every phase of the play as given there, and is full of interest. A matinee will be given this afternoon particularly for children, and the admission with a seat is only 10 cents. The proceeds will be used for the beginning of a fund for securing a building for the joint use of the Boys' Club and the Girls' Industrial School. The board affidavit and information that is clear to a common intent, so that the defendant can of managers have received many donations suffer no harm from the irregularities of the language contained therein, is sufficient from liberal people, which will materially swell the fund in addition to what is made

PERSONAL AND SOCIETY.

Miss Grace Taylor has gone to Chicago to spend two weeks. Miss Stella Fleber was hostess for the Anon Club Thursday. discretion of the judge whether or not to appoint a regular judge, providing it is diffi- a short visit to Lafayette. Mrs. John L. Griffiths has returned from

Mrs. Bessie M. Woolford, of Madison, is the guest of Mrs. M. M. Landis and family. Mrs. A. M. Sweeny will give a company, next week, in honor of her sister, Miss

Mrs. G. L. Hilt, of Minneapolis, is visiting her sister, Mrs. N. M. Sinnot, on Central avenue. Miss Lillie Reese left Tuesday for St Louis, to visit the Misses Von Starkloff for two weeks.

Invitations for a card party announced to be given by Miss Reaume, this evening, have been recalled. Mrs. S. C. Gill will go to Chicago, to-day, to visit Mrs. Holloway, Mrs. Schurmann and other friends. The Minerva Club will meet with Mrs. J.

T. McShane, Monday afternoon, instead of with Mrs. Ballinger. A butterfly social and fair was given successfully, last evening, by the ladies of Grace M. E. Church. The Y. P. S. C. E. of the Central Christian Church gave a valentine social, last evening, in the church parlors. Mrs. Henry Tidd, of Cleveland, who has been here a week with her sisters, Mrs. Hays and Mrs. Landis, will return home to-C. C. Appellee petitions for rehearing. 17666. Harless vs. Harless. Madison C. C.

Mrs. Bettle H. Eaton, of North Bend, O. is visiting her brother, General Benjamin Harrison. She will remain in the city a few Affirmed. Davis, J.-The plaintiff is not required in his complaint to anticipate the

Miss Emma Winter entertained the T. E.

G. Card Club yesterday afternoon. The score cards were valentines appropriate to 1795. Crum vs. Rea. Henry C. C. Re-versed. Ross, J.-A plea of former ad-judication must show that the matters in number of Mr. and Mrs. Philip Goetz entertained a number of friends informally, last evening,

in celebration of the anniversary of their controversy in the action in which the plea is interposed are the same as actually | marriage. were or might have been determined in

were or might have been determined in the former action and where such plea is used it is necessary to allege with reason-North Capitol avenue. About thifty young able certainty (a) that an action was compeople enjoyed dancing. menced between the some parties or their Mrs. A. B. Gates and Mr. and Mrs. Hewitt privies; (b) that the subject matter of that H. Howland will go to Cincinnati, Tuesday, to attend the marriage of Miss Edna Dickinson, which will occur there that evening. (c) that a final judgment was rendered in A number of young people were enter-tained, last evening, by Mr. and Mrs. Mc-Auley, for their son, Mr. Harry McAuley, 1724. Leach vs. Dickerson. Sullivan C. C.

at their home on North Pennsylvania street. The committee having in charge the leap year ball given at the Propylaeum, last week, have some funds on hand, and they have decided to give another leap year party Easter week.

ner in honor of her guest and last evening entertained a card club. Mrs. Edward E. Rexford gave a children's party, last evening, for her daughter, Edna a rehearing when all the points were fully Rexford. There were nearly a hundred guests who spent the evening in games and dancthe finding of the court does not support

ing. Valentines were given for favors.

Mrs. Allen Langtry gave a surprise euchre party Tuesday evening for her brother, Mr. W. H. Messenger. The guests from out of town included Mr. C. N. Williams, of Crawfordsville, and Mr. Geo. Jencks, of Ken-

A valentine party was given, last evening, by Miss Ever M. Reed, Miss Lottie M. Jennings and Miss Bessie H. Bronson, at the nome of the former, on North Illinois street, Valentines, hearts, darts and other emblems of the lovers' saint were appropriately used in various ways. The young ladies of the Indianapolis Cale-

donian Club gave a leap year dance for their gentleman friends at the club rooms Wednesday evening. The rooms were decorated with palms and smilax. The gentlemen were supplied with immense bouquets of roses and carnations. Mrs. Dewar and | Gas and Mrs. Menzies chaperoned the party. Mr. and Mrs. William H. Elvin gave small and informal musicale last evening. The guests of honor were the Misses Battles and Mr. Battles, visitors at Mr. J. M. Crandall's, and Miss Kiefer who is visiting her sister, Mrs. A. M. Sweeney. The Misses Battles play the piano, Miss Kiefer sings and Mr. Battles plays the horn and violin. A dance was given last evening at Bren neke's Academy by a number of young men who were formerly members of the Arlington Club. The hosts were Mr. William Laird, Mr. Oliver Hereth, Mr. Morris Dowd, Mr. Walter Helskell, Mr. Thaddeus Huston,

Mr. A. J. Smith, Mr. Thomas J. Hollen beck, Mr. Ernest Pierson and Mr. Russell Eckman. There were about one hundred in vitations issued for the event. Among the guests were Miss Smith, of Effingham, and Miss Cline, of Crawfordsville. Mr. and Mrs. A. B. Gates gave a valentine card party, last evening, to sixteen friends. Hearts were trumps all the evening. The decorations were large hearts with pictures of cupids with bows and arrows, framed in smilax and hung at either end of the room. The score cards were heart valentines, and the flowers were appropriately tu(two)lips of red and yellow; catch a fellow. The refreshments were all heart shaped or served in heart-shaped receptacles. Prizes for the winners were copies of Raphael's picture of the Cherubs and a statuette "Cupid."

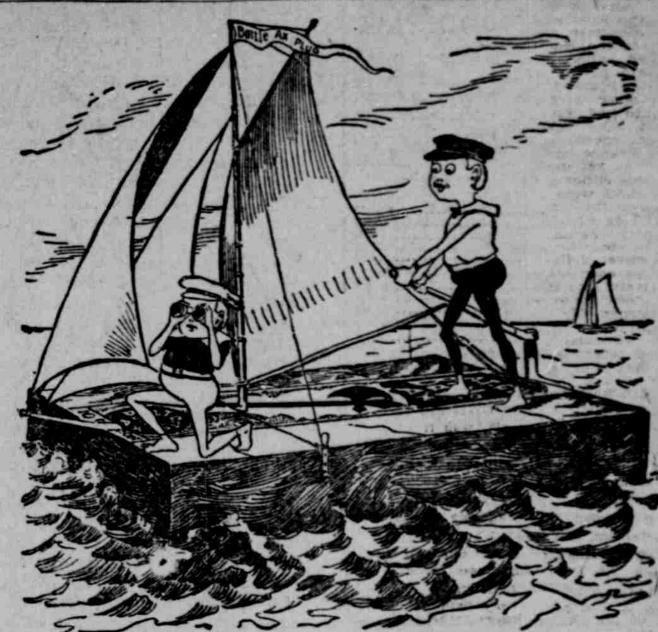
The appointments throughout were in harmony with the day. The members and their husbands of the Kettledrum Club were entertained, last evening, by Mr. and Mrs. Norris Suter, at their home, on North Meridian street. The floors were canvased for dancing and palms and flowers were used for decoration. Red nearts were suspended from the chandeliers by red and white ribbons, red and white being the club colors. Besides dancing the guests were entertained by Mrs. Alfred Cook. who sang, and Mr. August Prier recited. An amusement was for each guest to draw, blindfolded, the picture of an animal on a card. Six prizes were presented the most successful artists. Among the guests was Miss Mitchell, who is visiting Mrs. P. A.

Havelick Miss Edith Bingham gave a very pretty tea last evening, from 6 to 8 o'clock. The in-vitations, which were all in rhyme, were sent out to her girl friends, who were given the year's privilege of inviting their own es-The tea was served at small tables, each one being decorated with pink carnations and roses, and lighted with pink candles, with pink shades. A new game of authors, in the form of conundrums was introduced. Thus, one was, "What edible comes be tween a bee and an ant?" and the answer was B-rye-ant. There were twenty-two questions. There were about thirty guests. Mrs. Joseph K. Sharpe, jr., gave a flower and valentine luncheon yesterday, in honor of Mrs. Stanley Grepe, of Chicago, formerly Miss Roberta Tousey, of this city, who is visiting Mrs. H. H. Bennett, and the Misses Cruft, of Boston, who are visiting Mrs. John H. Holliday. The decoration for the center of the table was a large round basket of violets, lilies of the valley and maiden hair fern artistically combined. At each corner was a valentine bearing the name of the guest, and a bouquet of violets, lilles and fern. The other guests were Mrs. Bennett. Mrs. Holliday, Mrs. A. L. Mason, Miss Helen Smith, of Crawfordsville, Mrs. C. L. Hare, Miss Julia Ritzinger, Mrs. Clarence Wulsin and Miss Jessie Miller. In the draw-will be placed among the club archives to ing room the decorations were Bermuda

Miss Gertrude Schleicher entertained the T. H. E. Club, of which she is a member, last evening, at her home, on North Illinoi street, with a dance. The club is a cooking organization composed of twelve young girls and an equal number of boys were invited for the dance. The house, with spacious rooms, connected with broad arches, is well arranged for a dance. The carpets were all covered with white The arches were festooned with portieres of smilax, looped back with cupids and hearts. Pink and white are the club colors and the color scheme was carried out in the carnations which decorated the rooms, and in the refreshments, which were also of heart shape. Mrs. Schleicher was assisted in entertaining the young people by Mrs. William H. Eastman, Mrs. Frank Bowers and Misses Callie and Mayne Lee.

Mrs. H. C. Adams entertained a large numper of friends yesterday with a valentine reception, at her home, on North Alabama street. The guests were invited at 3 o'clock and were asked to lay aside their bonnets, so that the entertainment was characterized by a charm and informality not customary for a reception. Palms and flowers were in Tarkington and Mrs. O. D. Weaver in the parlor, Punch was poured by Miss Gertrude Gillette and Miss Mary Thompson. In the tea room Misses Ruby Rees, Susan Chip-man and Martha Drapler presided. The dining room was all in pink. A pink satin cover was over the table and piled at corners were valentines in tissue paper bags. These were the favors and were presented by Miss Edith Adams. The guest having a red heart in her bag was presented with a large handsome valentine. The harpist played during the reception hours. Among the guests was Miss Andress, of Lafayette.

MRS. FAIRBANKS'S TEA. One of the handsomest entertainments of the week was the valentine tea given yesterday afternoon by Mrs. Charles W. Fairbanks at her home on Park avenue. The tea was in honor of Miss Williams, of Rochester, N. Y., who is visiting her uncle. Mr. Charles R. Williams. The hostess was assisted in receiving by Mrs. Joseph A. Milburn, Mrs. John L. Griffiths and Mrs. James W. Morris. They stood in the south reception room. Assisting in the several



"Beats Anything Afloat."



The largest piece of good tobacco ever sold for io cents

and The 5 cent piece is nearly as large as you get of other high grades for 10 cents

THE MCELWAINE-RICHARDS CO., WROUGHT-IRON PIPE and BOILER TUBES



Snow Steam Pumps, Mill Supplies.

cut glass candelabrum with white candles.

From each corner of the valentine to the

corners of the table were strands of smilax

fastened at the corner with smaller valen-

tines. Presiding in this room were Mrs.

John R. Wilson, Mrs. Arthur Voorhees Brown, Dr. Mary Spink, Miss Olive Gas-

ton and Miss Margaret Smith. In the north

parlor were the punch table, the candy table and the favor table. Smilax and

hearts made bowers for the several tables,

while hung in the doors were scarlet carna-

tion hearts and cupids. Miss Wasson and

Miss Daisy Wilson presided over the punch

bowl, Mrs. A. T. Perry, Mrs. Hackedorn

and Miss Wishard at the candy table, and

Mrs. V. T. Malott, Mrs. J. W. Hess and

Mrs. John T. Dye at the favor table. The

vors were doll sachets, with gowns of dif-

ferent colors of satin. On the front were "Sweet Valentine;" "Your Valentine," and

similar sentiments. There were about one

hundred guests, among them Miss Stamp, the Misses Cruft, of Boston, and Miss Free-man, of York, Ill. Mrs. Fairbanks will

THE MAGAZINE CLUB.

ings with an evening company given last

Place. The husbands of the ladies were

asked as guests of honor. The entertain-

ment provided was a novelty and was a

secret. The first thing on the programme

was presenting to each one a heart-shaped

card. On the face were the names of six-

teen authors, with the letters transposed.

On the back were heart and arrow out-

lines, no two alike. This decoration was made by Miss Ida Foudray. The names of

the authors were to be written with pencils

fastened with lavender cord to the cards.

The second part of the programme was a

musicale in which Miss Foudray, Mrs. H.

O. Pantzer, Miss Weddel and Mrs. J. A.

Coleman took part. A third feature was the nut cracking. English walnuts had for

their meat conundrums. They were tied

with lavender ribbons, the club color, and

created much amusement. The climax was

the reading of the valentine. This was an

original rhyme by one of the members of the club, and the name of every member

will be placed among the club archives to be handed down to posterity. The dining

room was decorated in pink and white and

the decoration as well as the refreshments were elaborate. Prizes of books were given

for the authors' names and the nut crack-

ing. The regular meeting of the club will

THE ASSEMBLY BALL

The third and last of the series of As-

sembly balls was given last evening in the

Assembly hall of the Propylacum. The

guests were welcomed by the patronesses.

The decoration of the room was as beautiful

as it has ever been and the guests were in-

troduced to a scene somewhat tropical.

From the iron girders above were sus-

pended ropes of Florida moss, its soft gray

be held this afternoon with Mrs. Perine.

give a second tea in March.

confections were heart-shaped and the

62 & 64 West Maryland Street trimming. Southern smilax entwined the rooms in entertaining were Mrs. R. B. F. chandeliers and trailed over the wall at in-Peirce, Mrs. John N. Carey and Mrs. Isaac tervals. In addition to the green and gray Newton Todd. The rooms were beautified there were arrows of gold and bows of with Southern smilax which framed all of smilax here and there and great scarlet the arches between the rooms and suspended hearts, with cupids or double hearts transin the arches were either cupids bearing fixed with golden arrows. Across the plat-

valentines or hearts made of pink carnaform was a hedge of palm plants and be-low the platform was hidden with white tions bordered with smilax. The mantels were also adorned with flowers. In the licloth covered with bunches of palm leaves. brary coffee and heart-shaped sandwiches Supper was served on the platform. The were served by Mrs. Harry S. New, Mrs. A. L. Mison, Miss Emma Martindale and Miss Elizabeth Dye. The table was set in heart shape prevailed. Chicken croquettes were made in that form and the salad and ices were heart-shaped and so were the front of the mantel, which was hidden with cakes. There was a long programme of dances to the music of an orchestra with Southern smilax, and over the table hung a heart of pink carnations. In the dining drum accompaniment. Among the guests room heart-shaped ices and cakes were served. In the center of the table was a were Miss Sharpe, of Montana, and Mr. huge valentine of yellow and white lace Homer Wessel, of Cincinnati. huge valentine of yellow and white lace and pictures and set in the middle was a

CITY NEWS NOTES.

Miss Laura Schneider, at Hyde Park M. E. Church, to-morrow evening, will sing a solo 'Holy City.'

V. W. Woodward, who has been detained at home for about ten days on account of an accident, running a nail in his foot, is able to be out again.

Walter R. Connette, mentioned in connection with the White case yesterday, says he was not elevator boy in the Thorpe Block, but was studying law there. The Primary Teachers' Union will meet this afternoon, at 4 o'clock, in the pariors of the Fourth Presbyterian Church. The lesson will be taught by Mrs. F. F. McCrea. The Young Women's Christian Association will be led at the Sunday gospel ser-vice by Miss Wasson. "Trust" will be the

subject. Miss Florence Atkins will have

charge of the music The commissioners of Allen county visited the Statehouse yesterday and looked carefully through it. That county will build a new courthouse, and the commiss The Magazine Club varied its usual meet- are looking for ideas as to its construction. John W. Huggler, a saloon keeper of Brightwood, was tried in Justice Nickercorts. All the responses were also in rhyme, and some of them were very clever. The guest of honor was Miss Lillian Andress, of brecht, one of the members, in Woodruff brecht, one of the ladies were ferred by Fred D. Miller, marshal of that suburb. Huggler was fined \$10 and costs,

amounting in all to \$24. Rev. C. N. Sims gave an interesting paper and talk at Meridian-street M. E. Church yesterday afternoon on "Three Great Humorists," under the auspices of Mrs. J. E. Scott's Sunday school class. The humorists of whom Mr. Sims gave interesting descriptions and illustrations of their witings were Oliver Wendell Holmes, John G. Saxe and Thomas Hood.

Hon. Will Cumback will start to-day for Colorado to deliver the orations on the cel-ebration of Washington's birthday at Pueblo, Colorado Springs and Denver. These celebrations will be held on the 20th, 21st and 22d. He will also, while in the West, lecture at Canon City, Greeley, Boulder, Longment and Fort Collins, at Cheyenne, Wyo., and will be gone until March 2. The New England Society of Indianapoli

which held its fifth annual banquet op Fore fathers' day, Dec. 20, 1895, has published in neat pamphlet form the proceedings of that occasion. The speeches of the evening were those of Rev. Washington Gladden, Judge Byron K. Elliott, Bishop John Hazen White, Dr. A. W. Brayton, Rev. M. L. Haines, Hon. W. A. Ketcham and Rev. N. A. Hyde. Their addresses are given in full.

Belonged to the Free Lovers.

Marion Hendershot and Mrs. Augusta House were arrested on the charge of being guilty of immoral conduct Thursday night. Their case was called in Police Court yesterday morning. The woman was heavily veiled. She and her companion had Bibles under their arms. They are both married and have families, but it is claimed that they have lived together unlawfully at dif-ferent times for the past twenty years, Judge Cox was informed that the couple becolor lighting the upper part of the room.
At the windows were soft white curtains fastened back with palm leaves. The palm leaf decoration was repeated around the entire room, forming both a frieze and a wall until this morning, when they will be tried.

Cured of Gallstones.

The Dr. J. H. McLean Medicine Co., ST. LOUIS, MO.

GENTLEMEN: For upwards of ten years I suffered from what the doctors called neuralgia of the stomach, but they could do nothing for me. At one time I was taken with a most excruciating pain and in my agony I prayed for death to relieve me. My husband sent to Lincoln for another doctor. who came, and after examination, pronounced my trouble to be gallstones. The only relief I received was when the doctors injected morphine, and that was only temporary. I was reading in your almanae where

Dr. J. H. McLEAN'S LIVER and KIDNEY BALM

ed a case of gallstones. My husband thought I had better try it, so he bough bottle. That bottle gave me so much relief I was encouraged to keep on with it. used seven bottles, and am now, thanks to its great healing power, cured sound and well. I am unable to express my gratitude to you for the benefit I have received from your wonderful medicine. I have recommended it to many people since my recovery, and shall always do so when I have the opportunity. You may make use of this letter in any way you desire.

Yours respectfully,

Mas. LIZZIE SAXTON,